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Pro se Plaintiff

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9 Attorneys for Defendant
10 Meta Platforms, Inc.

11 UNITED STATES DISTRICT COURT
12 NORTHERN DISTRICT OF CALIFORNIA

14 TIARA N. JOHNSON,

Case No. 22-cv-05691-BLF

15 Plaintiff,

**JOINT STIPULATION AND
[PROPOSED] ORDER TO SET
BRIEFING SCHEDULE**

16 v.

17 META PLATFORMS, INC.
18 (f/k/a FACEBOOK, INC.)

19 Defendant.

1 Plaintiff Tiara N. Johnson (“Plaintiff”) and Defendant Meta Platforms, Inc. (“Meta”, f/k/a
2 Facebook) (collectively the “Parties”), by and through their counsel of record, hereby stipulate,
3 subject to approval of the Court, as follows:

4 1. On December 2, 2021, Plaintiff filed a Complaint against Meta in Maryland state
5 court. *Johnson v. Facebook, Inc.*, Case No. C-12-CV-21-000726.

6 2. On January 7, 2022, Meta removed the case to the District of Maryland, pursuant to
7 28 U.S.C. §§ 1332, 1441, and 1446. *Johnson v. Facebook, Inc.*, Case No. 1:22-cv-00033.

8 3. On February 10, 2022, Plaintiff filed a First Amended Complaint (“FAC”), asserting
9 claims for: (1) breach of contract; (2) tortious interference with contractual relations; (3) tortious
10 interference with prospective relations; (4) federal trademark infringement; and (5) federal unfair
11 competition.

12 4. On March 10, 2022, Meta filed a Motion to Dismiss or in the Alternative to Transfer
13 Venue, requesting that the district court transfer the case from the District of Maryland to the
14 Northern District of California, pursuant to the binding forum selection clause in Instagram’s Terms
15 of Use to which Plaintiff assented when she opened her Instagram account.

16 5. On October 3, 2022, the court granted Meta’s motion and transferred the case to the
17 Northern District of California.

18 6. On October 4, 2022, the Court set the following case management schedule:

- 19
- 20 • December 29, 2022: Last day to meet and confer re: initial disclosures, early
settlement, ADR process selection, and discovery plan;
 - 21 • January 12, 2023: Last day to file a Rule 26(f) Report, complete initial
disclosures, and file a Case Management Statement;
 - 22 • January 19, 2023 at 11:00 AM: Initial Case Management Conference in:

23
24 Courtroom 3, 5th Floor
25 Robert F. Peckham Federal Building
26 280 South 1st Street
27 San Jose, CA 95113
28

1 7. The parties have met and conferred in good faith and have agreed, subject to the
2 Court's approval, to the following briefing schedule:

Date	Event
January 27, 2023	Meta's Motion to Dismiss Plaintiff's FAC is due
February 27, 2023	Plaintiff's Opposition to Meta's Motion to Dismiss is due
March 13, 2023	Meta's Reply in Support of Its Motion to Dismiss is due
March 16, 2023 at 9:00 AM	Hearing regarding Meta's Motion to Dismiss Plaintiff's FAC

9 8. Moreover, in light of the above briefing schedule and in the interest of efficiency
10 and conservation of Court resources, the parties have likewise agreed, subject to the Court's
11 approval, to continue the Case Management Conference and all affiliated dates as follows:

Date	Event
February 27, 2023	Last day to meet and confer re: initial disclosures, early settlement, ADR process selection, and discovery plan
March 13, 2023	Last day to file a Rule 26(f) Report, complete initial disclosures, and file a Case Management Statement
March 16, 2023 at 11:00 AM	Initial Case Management Conference

20 NOW, THEREFORE, THE PARTIES STIPULATE AS FOLLOWS:

- 21 1. January 27, 2023: Meta's Motion to Dismiss Plaintiff's FAC is due
- 22 2. February 27, 2023: Plaintiff's Opposition to Meta's Motion to Dismiss is due
- 23 3. February 27, 2023: Last day to meet and confer re: initial disclosures, early
24 settlement, ADR process selection, and discovery plan
- 25 4. March 13, 2023: Meta's Reply in Support of Its Motion to Dismiss is due
- 26 5. March 13, 2023: Last day to file a Rule 26(f) Report, complete initial disclosures,
27 and file a Case Management Statement

- 1 6. March 16, 2023 at 9:00 AM: Hearing regarding Meta's Motion to Dismiss
2 Plaintiff's FAC
3 7. March 16, 2023 at 11:00 AM: Initial Case Management Conference
4

5 Dated: December 15, 2022

Respectfully submitted,

6 ORRICK, HERRINGTON & SUTTCLIFFE LLP
7

8 By: /s/Jacob M. Heath
9 Jacob M. Heath

10 Attorney for Defendant
11 Meta Platforms, Inc.

12 By: /s/Tiara N. Johnson
13 Tiara N. Johnson

14 *Pro se* Plaintiff

15 **CIVIL LOCAL RULE 5-1(i)(3) ATTESTATION**

16 I hereby attest that concurrence in the filing of this document has been obtained from each
17 of the other signatories hereto.

18 Dated: December 15, 2022

19 ORRICK, HERRINGTON & SUTTCLIFFE LLP

20 /s/Jacob M. Heath
21 Jacob M. Heath

22 Attorney for Defendant
23 Meta Platforms, Inc.

[PROPOSED] ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: _____

HONORABLE BETH LABSON FREEMAN
United States District Judge